



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council
From: Dana L. McDaniel, City Manager *DM*
Date: September 17, 2015
Initiated By: Matt Earman, Director of Parks & Recreation
Re: Ordinance 67-15 - Coffman Park Expansion Phase 2A/AEP Easement

Summary

As a part of the construction of Coffman Park Expansion Phase 2A, American Electric Power (AEP) is requesting two utility easements in order to provide electric service for the parking lot and other future amenities located near the intersections of Commerce Parkway, Perimeter Drive, and the Dublin Community Recreation Center entrance.

The City desires to donate and dedicate two (2) utility easements as described and depicted in the attached Exhibit A and Exhibit B to AEP for the Coffman Park Expansion Phase 2A. .

Recommendation

Staff recommends approval of Ordinance 67-15 at the second reading/public hearing on October 12, authorizing the City Manager to execute an easement with American Electric Power (AEP) for the installation of electric service for Coffman Park Expansion Phase 2A.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

67-15

Ordinance No. _____

Passed _____, 20____

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE
UTILITY EASEMENTS GRANTING AMERICAN ELECTRIC POWER
EASEMENTS ON PROPERTY OWNED BY THE CITY OF DUBLIN
LOCATED BETWEEN SR 161/US 33 AND PERIMETER DRIVE
FOR THE COFFMAN PARK EXPANSION - PHASE II.**

WHEREAS, the City of Dublin (the "City") programmed the Coffman Park Expansion Phase 2A (the "Project") in the approved 2015 Capital Improvement Program as part of the Coffman Park Master Plan; and

WHEREAS, Resolution 34-15 awarded the bid for construction of the Project to Jess Construction; and

WHEREAS, the Project requires electrical service to the parking lot and other future amenities located near intersections of Commerce Parkway, Perimeter Drive, and the Dublin Community Recreation Center entrance; and

WHEREAS, American Electric Power ("AEP") will need two (2) utility easements to provide the needed electrical services to the property; and

WHEREAS, the two (2) utility easements are necessary to complete the Project in its entirety; and

WHEREAS, the City desires to donate and dedicate two (2) utility easements as described and depicted in the attached Exhibit A and Exhibit B to AEP for the Coffman Park Expansion project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute two (2) utility easements in favor of AEP for the Coffman Park Expansion project.

Section 2. This Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to take any other actions as may be appropriate to implement this Ordinance.

Section 3. This Ordinance shall take effect in accordance with Section 4.04(b) of the Dublin Revised Charter.

Passed this _____ day of _____, 2015.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Eas. _____



Easement & Right of Way

CITY OF DUBLIN, OHIO, a municipal corporation under the laws of the State of Ohio, "Grantor(s)", in consideration of \$1.00, the easement terms, and other good and valuable consideration from Ohio Power Company an Ohio corporation and a unit of American Electric Power, 850 Tech Center Drive, Gahanna, OH 43230-6605, "Grantee", the receipt and sufficiency of which is acknowledged, grants and conveys with general warranty covenants to Grantee its successors, assigns, lessees, licensees and tenants, a right of way and easement, "Easement" for electric and other current/future energy or communication purposes, overhead and underground, in, on, over, through and across the following described lands situated in the City of Dublin, County of Franklin and State of Ohio. Being part of a 13.214 acre tract of land as described in Official Records Volume 14395 Page D02 of the Franklin County Recorder's Office (Parcel # 273-003966-00).

Said lines and facilities shall be constructed within a certain strip of land fifteen (15) feet in width, the centerline being the facilities as installed. The approximate location of said easement is depicted on Exhibit A, attached hereto and incorporated herein.

This Easement conveys all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, extend and remove utility facilities and relocate within the Easement, all necessary and convenient facilities which include but are not limited to: poles, anchors, guys, supporting structures, conductors, conduits, enclosures, grounding systems, foundations, manholes, transformers, and associated equipment, adding thereto from time to time; perform grading or filling for such facilities; cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee's option (without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, or other obstructions that in Grantee's reasonable judgment endanger or interfere with the safety or use of its facilities, both within and adjoining the Easement. Within the Easement, Grantor shall not: place any structures, piles or debris, interfere with lateral support, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the National Electric Safety Code or Grantee's design standards, and, for underground lines, permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times. If any governmental authority requires Grantee to relocate the facilities contemplated by this grant, this

Easement conveys the right to relocate such facilities to a comparable location of Grantee's choosing, without the need for a new easement.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement, but Grantor acknowledges high voltage electric lines will be constructed within the Easement and Grantor shall use its property in a manner consistent with all applicable safety rules and regulations for working near electric lines. Safety/required clearance issues may be referred to Grantee's Engineering Group. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby.

WITNESS, Grantor(s) signed this Easement on the ____ day of _____, 20__.

**CITY OF DUBLIN, OHIO, a municipal corporation
under the laws of the State of Ohio**

By: _____

Print Name: _____

Title: _____

STATE OF _____, }
COUNTY OF _____ }

The foregoing instrument was acknowledged before me this ____ day of _____, 20__,
by _____ (Name), _____ (Title of
Officer) of **CITY OF DUBLIN, OHIO, a municipal corporation under the laws of the State of Ohio.**

Notary Public
My Commission Expires _____

Easement prepared by Ohio Power Company CGB

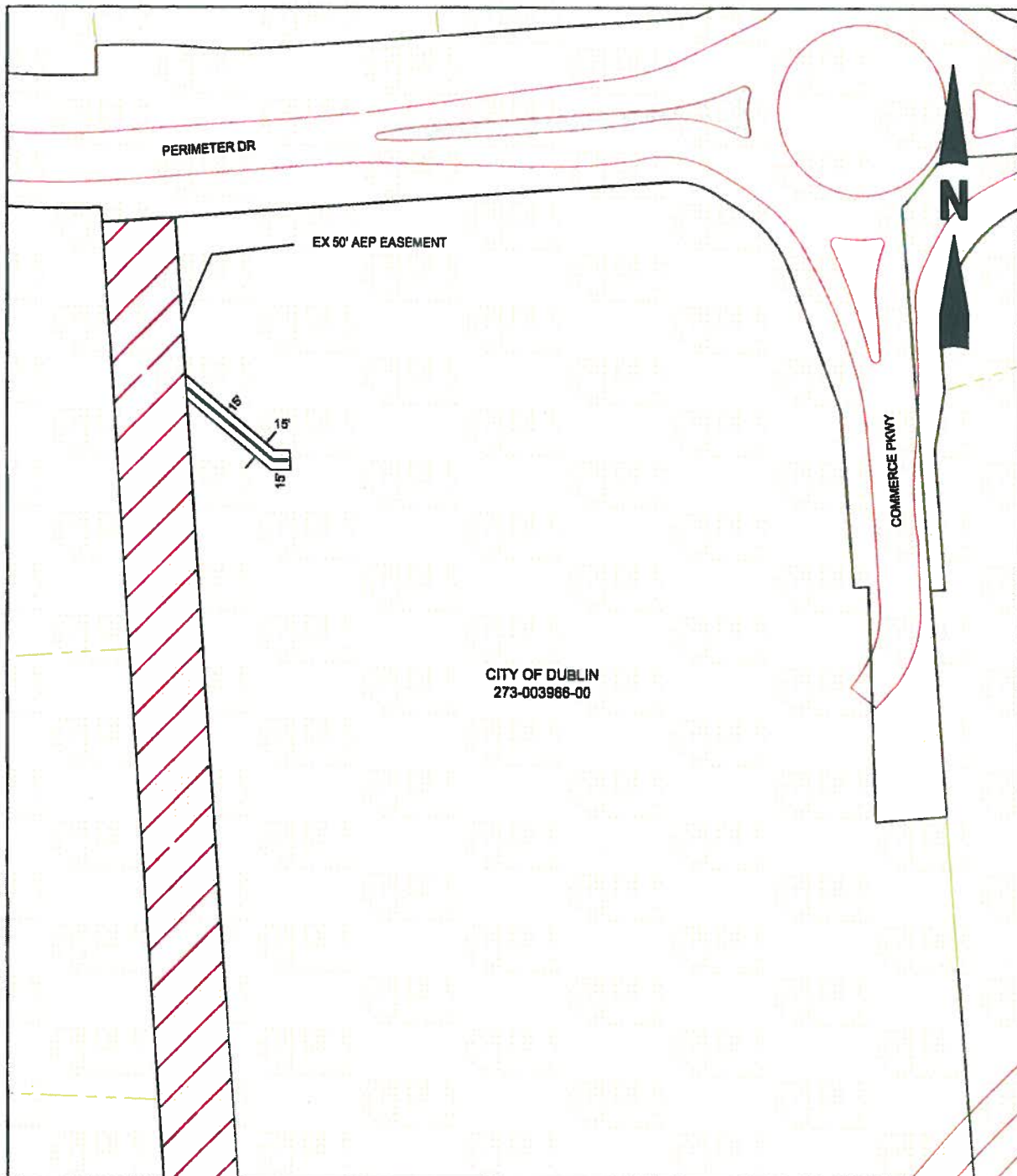
Address 5685 Perimeter Dr.

Dwg. No. 58233001

W0 No. DOP0238434

CALL BEFORE YOU DIG !!!

EXHIBIT "A"



**AMERICAN
ELECTRIC
POWER**

AEP - Ohio

State: Ohio

County/Parrish: Franklin

Township: Washington

Drawn by: J. Walden

Date: 06/30/2015